



Atty. Dkt. No. 078853-0306

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**RECEIVED**

**MAY 22 2003**

Applicant: Roger A. Sabbadini

Title: COMPOSITIONS AND METHODS  
FOR THE TREATMENT AND  
PREVENTION OF  
CARDIOVASCULAR DISEASES  
AND DISORDERS, AND FOR  
IDENTIFYING AGENTS  
THERAPEUTIC THEREFOR

**CERTIFICATE OF MAILING**  
I hereby certify that this correspondence is being deposited  
with the United States Postal Service with sufficient  
postage as First Class Mail in an envelope addressed to  
Commissioner for Patents, PO Box 1450, Alexandria,  
Virginia 22313-1450, on the date below.

**TECH CENTER 1800/2903**

DIANE CARLIA

(Printed Name)

Diane Carlia

(Signature)

5-15-03

(Date of Deposit)

Appl. No.: 10/029,401

Filing Date: 12/21/2001

Examiner:

Art Unit: 1653

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The documents were cited in the International Search Report from corresponding PCT Application No. PCT/US01/50785. Some of the documents cited in the Report were previously disclosed in an IDS submitted to the US PTO on September 23, 2002. Therefore, copies of those references have not been provided.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR § 1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

#### **TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR § 1.97(b), before the mailing date of the first Office Action on the merits, and within three (3) months of the mailing date of the foreign search report.

#### **RELEVANCE OF EACH DOCUMENT**

All of the documents are in English.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP § 609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise

improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date May 8, 1985

By Richard San Pietro

FOLEY & LARDNER  
P.O. Box 80278  
San Diego, California 92138-0278  
Telephone: (858) 847-6767  
Facsimile: (858) 792-6773

Richard San Pietro  
Attorney for Applicant  
Registration No. 45,071

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

OIPTE MAY 19 2003 (use as many sheets as necessary)		Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		<b>Complete if Known</b>	
Application Number		10/029,401		RECEIVED	
Filing Date		12/21/2001		MAY 22 2003	
First Named Inventor		ROGER A. SABBADINI		MAY 22 2003	
Group Art Unit		1653		MAY 22 2003	
Examiner Name		Unknown		MAY 22 2003	
Attorney Docket Number		078853-0306		MAY 22 2003	

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	5,989,803		Tabas et al.	November 23, 1999	

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Office <sup>3</sup> Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)	Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	A2	WO	01 37836 A	Emory University	May 31, 2001		
	A3	WO	01 71045	Millennium Pharmaceuticals, Inc.	Sept. 27, 2001		
	A4	WO	00 56135	Regents of the University of California	Sept. 28, 2000		

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	A5	Sabbadini et al., "The MIRF trial: Predicting the incidence and severity of CAD using serum sphingolipids." Circulation, 102: 11699, 2000 (Abstract).	
	A6	Nakajima et al., "Expression and characterization of Edg-1 receptors in rat cardiomyocytes: Calcium deregulation in response to sphingosine 1-phosphate." European Journal of Biochemistry, 267: 5679-5686, 2000.	
	A7	Huwiler et al., "Physiology and pathophysiology of sphingolipid metabolism and signaling." Biochimica Et Biophysica Acta, 1485: 63-99, 2000.	
	A8	International Search Report issued in PCT Application No. PCT/US01/50785	

 Examiner  
Signature

 Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450